

House File 447 - Reprinted

HOUSE FILE 447

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 54)

(As Amended and Passed by the House March 11, 2015)

A BILL FOR

1 An Act requiring wireless communications service providers
2 to provide call locations in circumstances of emergency,
3 making penalties applicable, and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 34A.16 Request for call location.

2 1. A wireless communications service provider shall
3 provide call location information concerning a device to
4 a law enforcement agency or officer or a public safety
5 answering point upon a request for that information if the law
6 enforcement agency or public safety answering point determines
7 the information is needed in an emergency situation that
8 involves the risk of death or serious physical harm.

9 2. Notwithstanding any provision of law to the contrary,
10 nothing in this section prohibits a wireless communications
11 service provider from establishing protocols by which the
12 provider could voluntarily disclose call location information
13 to a law enforcement agency or officer or a public safety
14 answering point upon a request for that information.

15 3. A claim or cause of action may not be brought against
16 any wireless communications service provider or employee for
17 providing call location information while acting reasonably and
18 in good faith and in accordance with the provisions of this
19 section.

20 4. *a.* Wireless communications service providers authorized
21 to do business in the state of Iowa, or submitting to
22 the jurisdiction of Iowa, and all resellers of wireless
23 communications services authorized to do business in the state
24 shall submit contact information to the department of public
25 safety in order to facilitate requests from law enforcement
26 agencies or public safety answering points pursuant to this
27 section. Wireless communications service providers and
28 resellers of wireless communications services shall submit this
29 contact information annually by June 15 or immediately upon any
30 change in contact information.

31 *b.* The department of public safety shall maintain a database
32 containing emergency contact information for all wireless
33 communications service providers and all resellers of wireless
34 communications services authorized to do business in the
35 state and shall make the information immediately available

1 upon request to any law enforcement agency or public safety
2 answering point in the state.

3 5. A person filing a false report with, or providing false
4 information to, a law enforcement agency or a public safety
5 answering point that results in a request for call location
6 information under this section may be subject to criminal
7 penalty pursuant to section 718.6.

8 Sec. 2. RULES. The department of public safety shall, by
9 December 31, 2015, adopt rules to implement and administer this
10 Act.

11 Sec. 3. EFFECTIVE DATE. The section of this Act enacting
12 section 34A.16 takes effect January 1, 2016.